



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
OREGON OPERATIONS OFFICE
805 SW Broadway, Suite 500
Portland, Oregon 97205

December 8, 2010

Mr. Bob Wyatt
Northwest Natural & Co-Chairman, Lower Willamette Group
220 Northwest Second Avenue
Portland, OR 97209

Re: Portland Harbor Superfund Site; Administrative Order on Consent for Remedial Investigation and Feasibility Study; Docket No. CERCLA-10-2001-0240
General Responses to EPA Non-Directed RI, BHHRA and BERA Comments

Dear Mr. Wyatt:

On July 19, 2010, EPA submitted comments to the Lower Willamette Group (LWG) on the draft Portland Harbor Remedial Investigation (RI) and baseline risk assessment (BRA) Reports. Over the past few months, EPA and the LWG have been engaged in series of discussions to resolve all remaining comments on the draft RI Report. These discussions culminated with three sets of tables that provided the LWG's responses to the key issues associated with EPA's non-directed comments on the RI Report and the baseline human health and ecological risk assessments (BHHRA and BERA). The LWG submitted the tables to EPA on November 18, 2010.

EPA has reviewed the LWG responses, as summarized in the tables, and has determined that the vast majority of issues associated with addressing EPA's comments have been resolved. However, there were three comments for which the LWG did not agree to make the specified changes. These comments are related to the conceptual site model (Linking Sources to In-Water Contamination), the data lockdown date, and the inclusion of the PBDE fish tissue data in the BHHRA. EPA has determined that these comments must be addressed to complete the RI and BRA Reports, and hereby directs the LWG to revise the draft RI and BRA Reports as described in Attachment 1.

EPA has also identified a number of clarifications that are required to ensure that other comments are fully addressed. EPA is providing clarification of our comments on the use of statistical outliers in the background data set, the scale of the ecological risk assessment, the presentation of hazard quotients in the BERA summary tables, and the use of biota-sediment accumulation factors for certain chemicals in the BERA shorebird evaluation. EPA's clarifications are also presented in Attachment 1.

Because we did not discuss all of the comments or details on how the individual comments will be addressed, a final determination that the LWG has addressed the directed and non-directed comments can not be made until redline-strikeout versions of the RI and BRA Reports are submitted. However, EPA believes that addressing all directed comments and non-directed comments consistent with previous direction and agreements, and the direction and clarifications in this letter and attachment, should resolve EPA's RI and BRA Report comments.

EPA is willing to work with the LWG to resolve the RI comments in the most expeditious manner possible and will establish a deadline for submitting a redline-strikeout version of the RI and BRA Reports once the full RI data set is finalized. EPA does not believe that finalization of the RI and BRA Reports necessarily should delay progress on the draft FS Report.

Finally, EPA thanks the LWG for its efforts in working to resolve the RI and BRA comments. EPA looks forward to continued efforts on the LWG's part to develop and submit a draft Feasibility Study Report by June 15, 2011. If you have any questions this matter, please contact Chip Humphrey at (503) 326-2678 or Eric Blischke (503) 326-4006. All legal inquiries should be directed to Lori Cora at (206) 553-1115.

Sincerely,

Chip Humphrey
Eric Blischke
Remedial Project Managers

cc: Greg Ulirsch, ATSDR
Rob Neely, NOAA
Ted Buerger, US Fish and Wildlife Service
Preston Sleeper, Department of Interior
Jim Anderson, DEQ
Kurt Burkholder, Oregon DOJ
David Farrer, Oregon Environmental Health Assessment Program
Rick Keppler, Oregon Department of Fish and Wildlife
Michael Karnosh, Confederated Tribes of Grand Ronde
Tom Downey, Confederated Tribes of Siletz
Audie Huber, Confederated Tribes of Umatilla
Brian Cunningham, Confederated Tribes of Warm Springs
Erin Madden, Nez Perce Tribe
Rose Longoria, Confederated Tribes of Yakama Nation